

THE GEORGE WASHINGTON UNIVERSITY  
Washington, D.C.

MINUTES OF A REGULAR MEETING  
OF THE FACULTY SENATE HELD ON  
JANUARY 19, 1990, IN LISNER HALL  
ROOM 603

The meeting was called to order by President Trachtenberg  
at 2:20 p.m.

Present: President Trachtenberg, Vice President French,  
Parliamentarian Schechter, Berkovich, Burks,  
Deering, Divita, East, Elgart, Fox, Garris, Graff,  
Griffith, Holmes, Kirsch, Liebowitz, Moore, Robbins,  
Robinson, Rycroft, Schiff, Solomon, Tolchin,  
Vontress, and Yezer

Absent: Registrar Gaglione, Burdetsky, Friedenthal,  
Keimowitz, Kenny, Leonard, Painter, Park, Parrish,  
Prats, Seavey, Trangsrud, and Walker

APPROVAL OF THE MINUTES

The minutes of the regular meeting of December 15, 1989, were  
approved as distributed.

OLD BUSINESS:

RESOLUTIONS

- I. RESOLUTION 89/6, "A RESOLUTION TO ENDORSE A UNIVERSITY  
POLICY ON CONFLICT OF INTEREST" (Final Action Postponed  
to January 19, 1990)

Professor Deering, Chair of the Professional Ethics and  
Academic Freedom Committee, moved the adoption of a substitute  
resolution which reflected the changes recommended by the Senate  
at its December meeting. The motion was seconded. Professor  
Deering pointed out that the language changes appeared in the third  
RESOLVING clause which would now read:

"III. That the President direct each school, college,  
or comparable educational division to establish and  
report to the Vice President for Academic Affairs  
for his approval, within one year's time, procedures  
(to include peer review) for implementing this policy  
in a manner appropriate to each of those units."

The amendment to the Policy adopted by the Senate on December 15,  
1989, was included in the substitute resolution on Page 2, under  
Paragraph 3, which reads:

"3. Conflicts of interest that may arise and may impair objectivity."

Professor Yezer, with reference to conflicts of interest that may arise from time/effort considerations, moved to delete Section 1.b) on Page 1 of the Policy, which reads: "accepting obligations that regularly conflict with scheduled classes or other academic responsibilities." Professor Yezer explained that he thought this language was redundant. The motion was seconded. Discussion followed by Professors Deering, Schiff, Griffith, Yezer, Fox, and Robinson. The question was called, and the Yezer amendment failed.

Dean Liebowitz stated his concern about the language in the two examples in a) and b) in the last paragraph on Page 2 of the Policy which seemed to imply that the University was carrying out practices which were improper. Professor Griffith suggested that the word "might" could be substituted for the word "may" in both examples a) and b). Professor Yezer moved that example a) be deleted because there were all kinds of terms and conditions in grants and contracts, and he thought this language was inappropriate. The motion was seconded.

A discussion followed by Professors Deering, Kirsch, Garris, and Dean Solomon. Professor Fox said he thought the policy on conflict of interest should encompass both faculty and the administration. He suggested that the first sentence of the third paragraph on Page 1 include the words "and the University administration" after the word "faculty." The sentence would then read: "The activities of the faculty and the University administration shall be conducted in a manner that avoids conflict of interest." Professor Deering replied that a policy on administrative conflict of interest already existed. Discussion by Professors Griffith, Tolchin and Yezer followed. The question was called, and the Yezer amendment failed.

With reference to the third RESOLVING clause, Professor Fox moved to delete the words "for his approval" after the phrase "report to the Vice President for Academic Affairs." Since there were essentially diverse groups of schools with different elements, Professor Fox said that emphasizing "for his approval" might impose an unnecessary delay on procedures developed by various schools. The motion was seconded. Professor Deering replied that the intent of the language was to ensure some comparability across the schools. Professor Griffith said that unless the procedures were reported to the Vice President for Academic Affairs, who has the responsibility for reviewing and possibly sending them back for redrafting, there was no protection against significantly divergent approaches developing, and he therefore opposed the amendment. The question was called, and the Fox amendment failed.

Professor Griffith, referring to the last paragraph on Page 2 of the Policy, moved to strike the word "may" and substitute the

words "might inadvertently" in the second line of a), and to strike the word "may" and to substitute the word "might" in the second line of b). The motion was seconded. Professor Fox spoke against the amendment. The question was called, and the Griffith amendment passed.

Professor Garris voiced his concern about Section 3 c) of the Policy because it basically precluded private consulting activities that have scholarly merit. Professor Deering replied it was his understanding that if one entered into a contractual agreement which proscribed one from publication, one did so under the "one-day-a-week rule" and that would be allowed; however, if it were done on University time that would be a violation of already existing University regulations which precluded one from doing that. Professor Garris pointed out, however, that the statement did not say anything about doing this under the one-day-a-week rule, or doing it on one's own time. Further discussion followed by Professors Garris, Deering, Fox, Griffith, Tolchin, Yezer, and Dean Liebowitz. Professor Griffith moved to close debate and the motion was seconded. A vote was taken, and the motion to close debate was passed.

The question was called on the original motion, and Substitute Resolution 89/6, as amended, was adopted. (Resolution 89/6 is attached.)

II. RESOLUTION 89/9, "A RESOLUTION PROTESTING THE EVASION OF THE FACULTY'S ROLE IN DECISION-MAKING IN THE AREA OF RESEARCH" (Postponed to January 19, 1990)

On behalf of the Research Committee, Professor Garris, Chair, moved the adoption of Resolution 89/9, and the motion was seconded. Professor Garris said that the resolution spoke for itself, but he would like to point out that the administration has nothing to lose and everything to gain by inviting faculty participation in decision-making regarding research. He said GW has a tremendous abundance of faculty who have a wide variety of experience in research, and that the collective experience of the faculty overwhelms the experience of the administration in the area of research.

Vice President French outlined his interpretation of the history involved in the production of the Coates-Lange Report. The administration began a process of creating 5-year plans to cover the years 1988-93 which were worked on through departments and deans. However, with a change in administration, it became clear that the format on planning would also be changed. The basis for the construction of the Coates-Lange Report was taken from responses to Paragraph 7 of Dr. Phelps' call for the preparation of the 5-year plans which stated:

"Identify research areas which you believe the University should select for particular development. Justify your selections by describing current strengths in the area and its potential for development. Describe generally what steps you'd think would be necessary for the University to achieve prominence in that area."

Vice President French said he had asked the deans if they would like to substitute a research field for one of those that had been identified, in light of any changes since the documents were initially prepared, and not a single dean had proposed a single substitution of fields. Vice President French said he simply wanted to place on the record that the administration was in fact trying to work responsibly with planning documents which were formulated in this direction.

A discussion followed by Vice President Diehl and Professor Garris regarding indirect cost rates of universities active in Sponsored Research. (Information distributed by Vice President Diehl and Professor Garris is attached.)

Further discussion on the subject of indirect costs continued by Professors Garris, Yezer, Griffith, President Trachtenberg, Vice President Diehl, Vice President Coates, and Vice President French.

Dean Liebowitz said that it seemed to him the point of the resolution was that faculty should be consulted at various stages of planning. Professor Fox said he thought the resolution represents a culmination of perceptions by the Research Committee that there wasn't faculty involvement at the time the Coates-Lange Report was prepared even though parts of it were drawn from the 5-year plans, and that consultation with faculty should now be forthcoming. Professor Rycroft, agreeing with Professor Fox, said that there has to be a mechanism to respond as quickly on the Academic Affairs/Sponsored Research side, as we respond on the Treasurer's side, and there seemed to be a sort of disconnect with responsiveness.

Professor Schiff moved to amend the resolution as follows: (1) In the title, deleting the words "protesting the evasion of" and substituting the word "concerning" therefor; (2) deleting the third, fourth and fifth WHEREAS clauses; and (3) deleting the first RESOLVING clause. He explained that these amendments would put a more positive frame on the resolution which adequately expresses the concerns of the faculty. The motion was seconded. Professor Deering said he would support deleting the fourth and fifth WHEREAS clauses, but would move to retain the third WHEREAS clause. Professor Schiff agreed to incorporate Professor Deering's motion and to retain the third WHEREAS clause.



Professor Fox move an amendment to remove the deletion of the first RESOLVING clause, and the motion was seconded. The question was called, and the Fox amendment failed. The question was called on the Schiff amendment and the amendment passed.

The question was called on the original motion, and Resolution 89/9, as amended, was adopted. (Resolution 89/9 is attached.)

#### INTRODUCTION OF RESOLUTIONS

No resolutions were introduced.

#### GENERAL BUSINESS

##### I. NOMINATIONS FOR ELECTION TO SENATE STANDING COMMITTEES

Professor Griffith asked to take up several nominations to Senate Standing Committees, not on the agenda, unless there was objection. No objection was made.

Professor Robinson moved the nomination of Professor Robert Paul Churchill for election to the Committee on Administrative Matters as They Affect the Faculty. Professor Kirsch moved the nomination of Professor Robert E. Park for election to the Committee on Appointment, Salary and Promotion Policies as a replacement for Professor Block who was on sabbatical leave. The nominations were approved.

Professor Kirsch recommended that Professor Park be appointed by the President to the Benefits Review Committee in Professor Block's place.

##### II. REPORT OF THE EXECUTIVE COMMITTEE

On behalf of the Executive Committee, Professor Griffith reported on the following items:

(1) A reminder that the Faculty Assembly will be in session on Tuesday, January 23rd. The Executive Committee has placed on its agenda a resolution inviting the faculty to express its gratitude to all of those people who were involved in the successful completion ahead of the target date of the Campaign for George Washington. Also, he noted that the President had informed him that upon concluding his brief remarks to the Assembly, he intended to open the floor to direct questions from the faculty.

(2) A Report from Vice President Bortz on the ongoing fringe benefits review was also an item on the Assembly agenda. In this regard, the Executive Committee and the Committee on Administrative Matters as They Affect the Faculty and the Committee on Appointment, Salary and Promotion Policies were tracking the fringe benefits review. The President has agreed to give these Committees

an opportunity to review the proposed changes before a final decision is made.

(3) As faculty representative to the Board's Academic Affairs Committee, the Chair of the Executive Committee reports to the Board's Committee on the activities of the Senate. The Chair noted that the Academic Affairs Committee takes a lively interest in what that Senate does. At the most recent meeting, the Academic Affairs Committee was informed that the administration planned to present a fairly detailed plan about the Northern Virginia Campus at the March meeting of the Board. In order for the Senate to be heard on this issue, recommendations will have to be made within that time frame.

(4) The request to faculty for volunteering for administrative and Senate Committees has been sent out and are due back by March 13th.

(5) The Executive Committee will meet on January 26th to set the agenda for the February 9th Senate meeting. Any Committee business for consideration by the Executive Committee should be received before January 26th.

#### BRIEF STATEMENTS

Professor Kirsch asked the President about the status of the Senate's resolution on early retirement. He said a number of his colleagues had inquired about this because some of them were trying to make plans for retirement. The President replied that the information submitted to him has been sent to Vice President Bortz and the matter is being reviewed along with all of the other options. On another matter, Professor Kirsch noted that, according to the Hatchet article on salaries, it appeared that the President has moved into a very nice market-basket of schools. Professor Kirsch said he hoped the President would make an effort to move the faculty into the same market-basket.

Professor Tolchin thanked Professor Griffith for his statement about the Capital Fund Drive. For the record, she asked that the names of the members of the Campus Committee, which she chaired, be included in the minutes. The members are : Professor Lilien F. Robinson, CCAS; Professor Anthony M. Yezer, GSAS; Professor Arnold C. Meltzer, SEAS; Donald A. Runyon, Assistant Treasurer, Business and Procurement Affairs; Professor Seymour Perlin, Medical Center; Professor John S. Jenkins, National Law Center; Professor Charles F. Elliott, ESIA; Professor John G. Boswell, SEHD.

Professor Deering expressed his thanks to Professor Victor H. Cohn, Professor Joseph L. Gastwirth, and Professor Harry E. Yeide, Jr., who played a significant part in the development of the most recent document on conflict of interest adopted by the Senate today. Professor Griffith extended his thanks to Professor Deering for all of this good efforts in this regard also.

ADJOURNMENT

Upon motion made and seconded, the President adjourned the meeting at 4:25 p.m.

A handwritten signature in cursive script, reading "J. Matthew Gaglione". The signature is written in dark ink and is positioned above the printed name and title.

J. Matthew Gaglione  
Secretary

SUBSTITUTE RESOLUTION

A RESOLUTION TO ENDORSE A UNIVERSITY POLICY ON CONFLICT OF INTEREST (89/6)

WHEREAS, it is in the best interest of The George Washington University to have a policy on conflict of interest; and

WHEREAS, there is, at present, no explicit statement regarding conflict of interest in the Faculty Handbook; and

WHEREAS, potential problems of conflict of interest are arising with increasing frequency at universities; and

WHEREAS, it is desirable for both the faculty and the university to avoid, whenever possible, such problems before they occur; NOW, THEREFORE,

BE IT RESOLVED BY THE FACULTY SENATE OF THE GEORGE WASHINGTON UNIVERSITY

I. That the Senate endorses the attached policy statement on conflict of interest; and

II. That the Senate further recommends that, upon adoption by the University, language reflecting this policy be printed in the Faculty Handbook or that this policy be printed as a separate Conflict of Interest pamphlet for periodic distribution to the faculty; and

III. That the President direct each school, college, or comparable educational division to establish and report to the Vice President for Academic Affairs for his approval, within one year's time, procedures (to include peer review) for implementing this policy in a manner appropriate to each of those units.

Professional Ethics and Academic Freedom Committee

Adopted, as amended, January 19, 1990



## A POLICY ON CONFLICT OF INTEREST

Conflicts of interest are a universal fact of life; they occur when the fulfillment of an obligation, commitment, or responsibility makes it difficult or impossible to fulfill other obligations, commitments, or responsibilities. They obviously may differ in extent or degree. The goal of any institution cannot be to eliminate all conflicts of interest. Rather it should be to establish boundaries within which conflicts of interest are tolerable and beyond which they are intolerable.

A cornerstone for understanding must include the principle that "...faculty shall have a primary responsibility of devoting their time, thought, and energy to service of the University" [FC III F]. At the same time and of no less importance is a faculty member's responsibility to further his/her own professional development and the goals of his/her professional discipline. Under normal circumstances a faculty member's participation in the activities of governmental, industrial, and professional institutions is consistent with the academic interests of the University as well as those of the faculty member.

The activities of the faculty shall be conducted in a manner that avoids conflicts of interest. There are at least four types of conflicts of interest that may require review; these occur when:

- 1) the University is deprived of the appropriate (compensated) time and effort of the faculty member due to external commitments;
- 2) substantial use is made of human and material resources of the University for non-University purposes;
- 3) the faculty member's extra-university activities affect his/her objectivity in carrying out academic responsibilities, or compromise basic scholarly activity or freedom of action; and
- 4) the University is deprived of its appropriate potential financial gain.

Examples of the various types of conflicts of interest noted above include the following:

1. Conflicts of interest that may arise from time/effort considerations:

- a) exceeding the equivalent of the "one day a week" rule allowed by the Faculty Handbook;
- b) accepting obligations that regularly conflict with

scheduled classes or other academic responsibilities.

2. Conflicts of interest that may involve misallocation of University resources:

- a) using University equipment, supplies, personnel, and other facilities and resources for activities that yield financial benefit to the faculty member and not the University;
- b) when outside financial incentives distort scholarly activity or the shaping of academic goals.

3. Conflicts of interest that may arise and may impair objectivity:

- a) receiving support from an institution in which the faculty member or a close friend or relative has a substantial financial interest;
- b) hiring of a family member or of a student enrolled in his/her course;
- c) entering into an agreement that precludes normal scholarly publication or public discussion;
- d) when a faculty member has a relationship (as, e.g., consultant, advisor, owner, or shareholder) to an outside organization that is conducting business with the University.

4. Conflicts of interest that may arise from the University's loss of appropriate financial benefits:

- a) when a faculty member seeks to obtain research support in a manner that substantially undermines the responsibilities of the Office of Sponsored Research;
- b) whenever an outside commitment provides to an individual or organization other than the university for intellectual or tangible property rights in the way of patent ownership or licensing that ought to accrue to the University.

Although the examples given above describe conflicts a faculty member may voluntarily face, consideration needs to be given to conflicts that may arise from pressures of the University. Two examples are:

- a) A faculty member who has summer research support might inadvertently be asked to devote substantial time to non-research activities (e.g. curriculum revision) and still be expected to sign a declaration (e.g., a government form) that 100% of his/her time was spent on the research project.
- b) In its effort to increase the financial well being of the institution, the University might encourage the pursuit of activities that will generate

income from contracts at the expense of freely  
chosen disinterested research and scholarship.

Because these boundaries are fated to be somewhat arbitrary  
and vague, it seems prudent to establish an approach that has two  
essential elements:

(1) utilizing normal channels, faculty are encouraged to  
report and to seek guidance concerning significant potential  
conflicts of interest in order to ensure that the interests  
of the faculty member, his/her profession, and the  
University are best served; and

(2) recognizing that each school, college, or other unit has  
shared and unshared areas where conflicts may occur, each  
unit should devise an appropriate mechanism to review and to  
resolve any lack of agreement arising from the disclosure of  
potential or actual conflicts of interest.

Professional Ethics and Academic Freedom Committee  
November 13, 1989

INSTITUTION NAME	6/30/89 INDIRECT COST RATES	1988 FEDERAL RESEARCH AND DEVELOPMENT	RANKING AMONG TOP 100 INSTITUTIONS
AMERICAN UNIVERSITY	47.00%		
AMHERST COLLEGE			
BATES			
BOSTON COLLEGE	55.00%		
BOSTON UNIVERSITY	73.00%	53,930,000	45
BOWDOIN COLLEGE			
BRANDEIS UNIVERSITY	59.00%		
BROWN UNIVERSITY	64.00%	31,367,000	75
BUCKNELL UNIVERSITY			
CARNEGIE-MELLON UNIV.		74,577,000	29
COLGATE			
COLUMBIA UNIVERSITY	74.10%	139,108,000	9
CORNELL UNIVERSITY	57.00%	134,568,000	11
DENISON UNIVERSITY			
DUKE UNIVERSITY	50.00%	92,763,000	23
EMORY UNIVERSITY	52.00%	50,889,000	50
FRANKLIN & MARSHALL COLL			
GEORGE WASHINGTON UNIV.	54.00%	33,431,000	68
GEORGETOWN UNIVERSITY	59.00%	25,230,000	86
HAMILTON UNIVERSITY			
HAVERFORD COLLEGE			
JOHN HOPKINS UNIVERSITY	64.00%	431,593,000	1
LEHIGH	61.00%		
MOUNT HOLYOKE COLLEGE			
NEW YORK UNIVERSITY	51.00%	79,516,000	27
NORTHWESTERN UNIVERSITY	51.00%	53,105,000	47
OSLERLIN COLLEGE			
PRINCETON UNIVERSITY	67.00%	45,365,000	54
SMITH COLLEGE			
TUFTS UNIVERSITY	67.00%	35,341,000	65
TULANE UNIVERSITY	50.00%		
UNIVERSITY OF MAIMI	60.00%		
UNIVERSITY OF PENN.	65.00%	120,029,000	14
UNIVERSITY OF ROCHESTER	59.00%	94,885,000	22
UNIVERSITY OF SOUTHERN CA		99,399,000	19
VANDERBILT UNIVERSITY	61.00%	58,389,000	39
WASHINGTON UNIVERSITY	59.00%	95,368,000	21
WELLESLEY COLLEGE			
WESLEYAN UNIVERSITY	70.70%		
WILLIAMS COLLEGE			

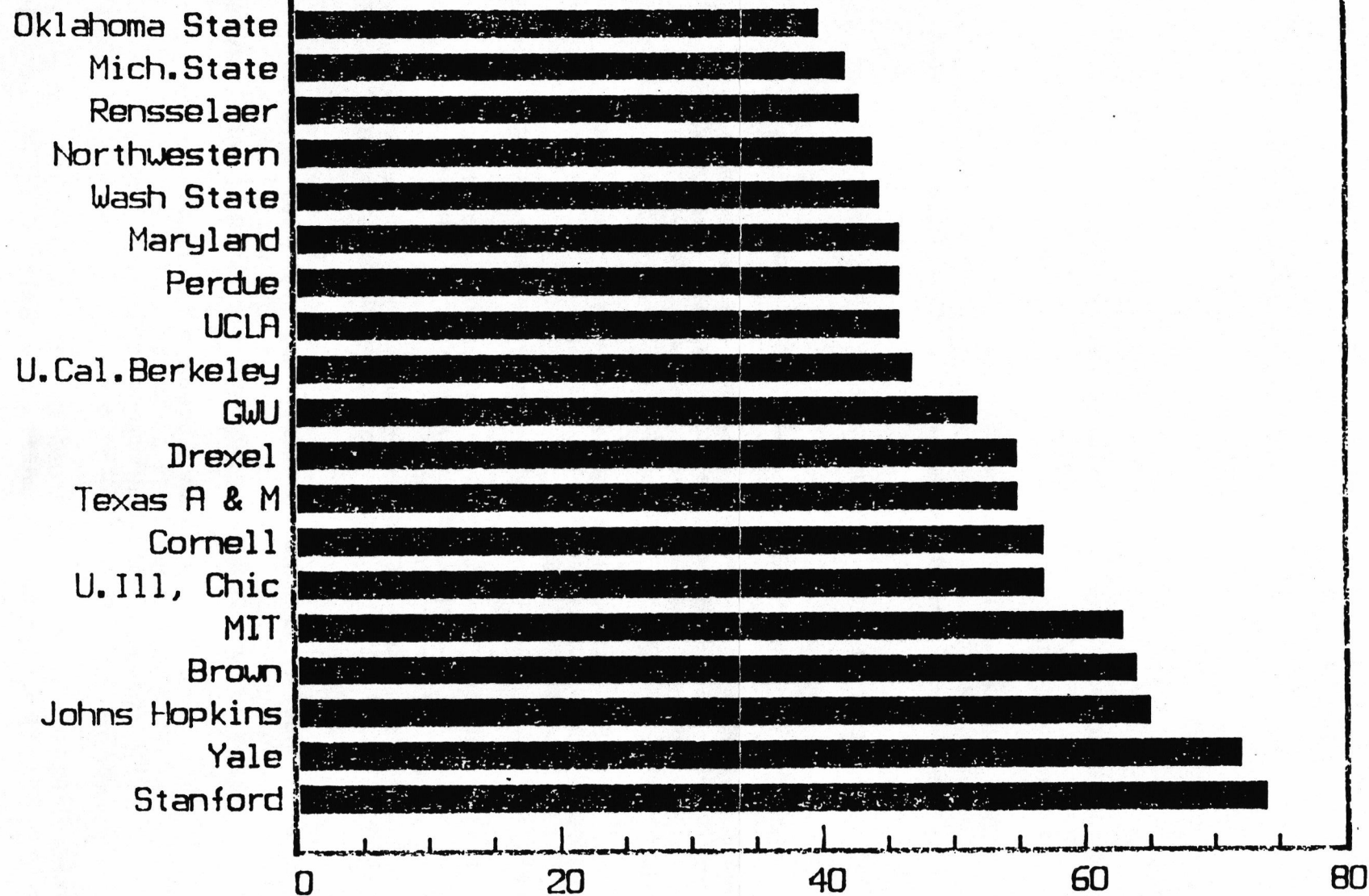
GEORGE WASHINGTON UNIVERSITY'S RATE REPRESENTS THE COMBINED RATES  
OF 48%(UNIVERSITY) AND 60%(MEDICAL CENTER).

JAN 19 1990



Indirect Cost Rate of Universities  
Active in Sponsored Research

Indirect Cost Rate



A RESOLUTION CONCERNING ~~PROTESTING THE EVASION OF~~ THE FACULTY'S  
ROLE IN DECISION-MAKING IN THE AREA OF RESEARCH (89/9)

WHEREAS, The regular active-status faculty shares with the officers of the administration the responsibility for effective operation of the departments, schools, and the University as a whole; and

WHEREAS, The regular active-status faculty also participates in the formulation of policy and planning decisions affecting the quality of education and life at the University; and

WHEREAS, In accordance with Article IX of the Faculty Code, the Senate Committee on Research is entitled, to the extent feasible, to be informed sufficiently in advance of important decisions which have impact on research so as to be able to provide its advice and recommendations; and

~~WHEREAS, The recommendations of policy in the Report "Strategies for Research: Toward Growth and Competitiveness" by A. Coates and C. Lange were adopted without any consultation with the Senate Committee on Research; and~~

~~WHEREAS, The administration embarked on negotiations with the federal government to increase the indirect cost rate on sponsored research projects from 48% to 52%, an action that has strong repercussions on the ability of faculty to perform and to obtain sponsored research, without consultation with the Senate Committee on Research; NOW, THEREFORE~~

BE IT RESOLVED BY THE FACULTY SENATE OF THE GEORGE WASHINGTON UNIVERSITY

- ~~1. That the administration's disregard for the necessity of consultation with appropriate Senate standing committees in the formation of University policy is protested; and~~
2. That the Senate Committee on Research should be consulted at an early stage on all policy matters important to research and should be given the opportunity to provide recommendations and advice.

The Senate Committee on Research  
October 30, 1989

Postponed December 15, 1989, to January 19, 1990, Senate meeting

Adopted, as amended, January 19, 1990

THE GEORGE WASHINGTON UNIVERSITY  
Washington, D. C.

The Faculty Senate

January 8, 1990

The Faculty Senate will meet on Friday, January 19, 1990, at 2:10 p.m. in Lisner Hall 603.

AGENDA

1. Call to order
2. Approval of the minutes of the regular meeting of December 15, 1989
3. Old Business:
  - (a) A RESOLUTION TO ENDORSE A UNIVERSITY POLICY ON CONFLICT OF INTEREST (89/6) with accompanying Policy Statement (further discussion and final action postponed to January 19, 1990, Senate meeting); Professor Christopher J. Deering, Chair, Professional Ethics and Academic Freedom Committee (Resolution 89/6 with Policy Statement are attached.)
  - (b) A RESOLUTION PROTESTING THE EVASION OF THE FACULTY'S ROLE IN DECISION-MAKING IN THE AREA OF RESEARCH (89/9) (postponed to January 19, 1990, Senate meeting); Professor Charles A. Garriss, Chair, Research Committee (Resolution 89/9 is attached.)
4. Introduction of resolutions
5. General Business:
  - (a) Report of the Executive Committee: Professor William B. Griffith, Chair
6. Brief Statements
7. Adjournment



J. Matthew Gaglione  
Secretary

A RESOLUTION TO ENDORSE A UNIVERSITY POLICY ON CONFLICT OF INTEREST (89/6)

- WHEREAS, it is in the best interest of The George Washington University to have a policy on conflict of interest; and
- WHEREAS, there is, at present, no explicit statement regarding conflict of interest in the Faculty Handbook; and
- WHEREAS, potential problems of conflict of interest are arising with increasing frequency at universities; and
- WHEREAS, it is desirable for both the faculty and the university to avoid, whenever possible, such problems before they occur; NOW,  
THEREFORE,

BE IT RESOLVED BY THE FACULTY SENATE OF THE GEORGE WASHINGTON UNIVERSITY

- I. That the Senate endorses the attached policy statement on conflict of interest; and
- II. That the Senate further recommends that, upon adoption by the University, language reflecting this policy be printed in the Faculty Handbook or that this policy be printed as a separate Conflict of Interest pamphlet for periodic distribution to the faculty; and
- III. That the President direct each school, college, or comparable educational division to establish and report to the Vice President for Academic Affairs, within one year's time, procedures for implementing this policy in a manner appropriate to each of those units.

Professional Ethics and Academic Freedom Committee  
November 13, 1989

Postponed, December 15, 1989, for further consideration and final action to January 19, 1990, Senate meeting.



## A POLICY ON CONFLICT OF INTEREST

Conflicts of interest are a universal fact of life; they occur when the fulfillment of an obligation, commitment, or responsibility makes it difficult or impossible to fulfill other obligations, commitments, or responsibilities. They obviously may differ in extent or degree. The goal of any institution cannot be to eliminate all conflicts of interest. Rather it should be to establish boundaries within which conflicts of interest are tolerable and beyond which they are intolerable.

A cornerstone for understanding must include the principle that "...faculty shall have a primary responsibility of devoting their time, thought, and energy to service of the University" [FC III F]. At the same time and of no less importance is a faculty member's responsibility to further his/her own professional development and the goals of his/her professional discipline. Under normal circumstances a faculty member's participation in the activities of governmental, industrial, and professional institutions is consistent with the academic interests of the University as well as those of the faculty member.

The activities of the faculty shall be conducted in a manner that avoids conflicts of interest. There are at least four types of conflicts of interest that may require review; these occur when:

- 1) the University is deprived of the appropriate (compensated) time and effort of the faculty member due to external commitments;
- 2) substantial use is made of human and material resources of the University for non-University purposes;
- 3) the faculty member's extra-university activities affect his/her objectivity in carrying out academic responsibilities, or compromise basic scholarly activity or freedom of action; and
- 4) the University is deprived of its appropriate potential financial gain.

Examples of the various types of conflicts of interest noted above include the following:

1. Conflicts of interest that may arise from time/effort considerations:
  - a) exceeding the equivalent of the "one day a week" rule allowed by the Faculty Handbook;
  - b) accepting obligations that regularly conflict with scheduled classes or other academic responsibilities.
2. Conflicts of interest that may involve misallocation of University resources:
  - a) using University equipment, supplies, personnel, and other

Faculty  
Senate  
Amendment  
12/15/89

- facilities and resources for activities that yield financial benefit to the faculty member and not the University;
- b) when outside financial incentives distort scholarly activity or the shaping of academic goals.
3. Conflicts of interest that may <sup>arise and may</sup> /impair objectivity:
- a) receiving support from an institution in which the faculty member or a close friend or relative has a substantial financial interest;
  - b) hiring of a family member or of a student enrolled in his/her course;
  - c) entering into an agreement that precludes normal scholarly publication or public discussion;
  - d) when a faculty member has a relationship (as, e.g., consultant, advisor, owner, or shareholder) to an outside organization that is conducting business with the University.
4. Conflicts of interest that may arise from the University's loss of appropriate financial benefits:
- a) when a faculty member seeks to obtain research support in a manner that substantially undermines the responsibilities of the Office of Sponsored Research;
  - b) whenever an outside commitment provides to an individual or organization other than the university for intellectual or tangible property rights in the way of patent ownership or licensing that ought to accrue to the University.

Although the examples given above describe conflicts a faculty member may voluntarily face, consideration needs to be given to conflicts that may arise from pressures of the University. Two examples are:

- a) A faculty member who has summer research support may be asked to devote substantial time to non-research activities (e.g. curriculum revision) and still be expected to sign a declaration (e.g., a government form) that 100% of his/her time was spent on the research project.
- b) In its effort to increase the financial well being of the institution, the University may encourage the pursuit of activities that will generate income from contracts at the expense of freely chosen disinterested research and scholarship.

Because these boundaries are fated to be somewhat arbitrary and vague, it seems prudent to establish an approach that has two essential elements:

(1) utilizing normal channels, faculty are encouraged to report and to seek guidance concerning significant potential conflicts of interest in order to ensure that the interests of the faculty member, his/her profession, and the University are best served; and

(2) recognizing that each school, college, or other unit has shared and unshared areas where conflicts may occur, each unit should devise an appropriate mechanism to review and to resolve any lack of agreement arising from the disclosure of potential or actual conflicts of interest.

Professional Ethics and Academic Freedom Committee  
November 13, 1989

A RESOLUTION PROTESTING THE EVASION OF THE FACULTY'S ROLE IN  
DECISION-MAKING IN THE AREA OF RESEARCH (89/9)

- WHEREAS, The regular active-status faculty shares with the officers of the administration the responsibility for effective operation of the departments, schools, and the University as a whole; and
- WHEREAS, The regular active-status faculty also participates in the formulation of policy and planning decisions affecting the quality of education and life at the University; and
- WHEREAS, In accordance with Article IX of the Faculty Code, the Senate Committee on Research is entitled, to the extent feasible, to be informed sufficiently in advance of important decisions which have impact on research so as to be able to provide its advice and recommendations; and
- WHEREAS, The recommendations of policy in the Report "Strategies for Research: Toward Growth and Competitiveness" by A. Coates and C. Lange were adopted without any consultation with the Senate Committee on Research; and
- WHEREAS, The administration embarked on negotiations with the federal government to increase the indirect cost rate on sponsored research projects from 48% to 52%, an action that has strong repercussions on the ability of faculty to perform and to obtain sponsored research, without consultation with the Senate Committee on Research; NOW, THEREFORE

BE IT RESOLVED BY THE FACULTY SENATE OF THE GEORGE WASHINGTON UNIVERSITY

1. That the administration's disregard for the necessity of consultation with appropriate Senate standing committees in the formation of University policy is protested; and
2. That the Senate Committee on Research should be consulted at an early stage on all policy matters important to research and should be given the opportunity to provide recommendations and advice.

The Senate Committee on Research  
October 30, 1989

Postponed December 15, 1989, to January 19, 1990, Senate meeting.



FACULTY SENATE STANDING COMMITTEES

January, 1990

THE GEORGE WASHINGTON UNIVERSITY  
Washington, D. C.

TO: Members of the University Faculty Assembly

FROM: William B. Griffith, Chair *WBS*  
Executive Committee of the Faculty Senate

RE: Call for Nominations for Election to Faculty Senate  
Standing Committees, 1990-91 Session

In April, the newly-elected and incumbent Executive Committee of the Faculty Senate will meet jointly "to nominate the members and chairmen of the standing committees and special committees" of the Faculty Senate for the year 1990-91.

I urge all colleagues seriously to consider volunteering their service to one of the following Senate Committees during the forthcoming year. Please keep in mind that in the interest of "continuity" in committee membership, the Senate amended its Bylaws to read: "...elected members should consider it an obligation to stand for re-election to the same committee at least once." If you wish to be elected or re-elected to a Senate Committee, please return this form to:

FACULTY SENATE OFFICE  
RICE HALL, #305

NO LATER THAN MARCH 30, 1990.

Administrative Matters as They Affect the Faculty	Libraries
Appointment, Salary, and Promotion	Physical Facilities
Policies (including Fringe Benefits)	Professional Ethics and Academic Freedom
Athletics	Research
Educational and Admissions Policy	Student Financial Aid
Fiscal Planning and Budgeting	University Development and Resources
Dispute Resolution Committee (3-yr. term)	
Honors and Academic Convocations	University and Urban Affairs

Name \_\_\_\_\_ Department \_\_\_\_\_ Rank \_\_\_\_\_

Currently serving on the Senate Committee on: \_\_\_\_\_

Do you wish to be re-elected to this Committee? \_\_\_\_ Yes \_\_\_\_ No

I should like to serve on a Senate Committee according to my preferences below:

(1st Choice) \_\_\_\_\_

(2nd Choice) \_\_\_\_\_

(3rd Choice) \_\_\_\_\_

I will be available for committee work during the regular academic year \_\_\_\_ Yes \_\_\_\_ No

I will also be available for committee work during at least one of the summer sessions \_\_\_\_ Yes \_\_\_\_ No

I prefer not to serve during 1990-91 \_\_\_\_.

ADMINISTRATIVE STANDING COMMITTEES

January, 1990

THE GEORGE WASHINGTON UNIVERSITY  
Washington, D. C.

TO: Members of the University Faculty Assembly

FROM: William B. Griffith, Chair *W.B. Griffith*  
Executive Committee of the Faculty Senate

RE: Appointments to Administrative Standing and Special  
Committees for the Year 1990-91

At its April and May meetings the Faculty Senate will recommend faculty for presidential appointment to membership on certain Administrative Standing Committees listed below. When the Executive Committee meets in March, it will draw up a list of faculty nominees for approval by the Senate.

If you are interested in volunteering your services--and I urge you to give the matter serious consideration--please indicate your preferences and return this form to:

FACULTY SENATE OFFICE  
RICE HALL, #305

NO LATER THAN MARCH 13, 1990.

Advisory Committee for the Charles E. Smith Center for Physical Education and Athletics	<u>GW Forum</u>
Committee on Campus Security	Joint Committee of Faculty and Students
Committee on the Judicial System	Marvin Center Governing Board
Committee on Sponsored Research	Marvin Center Program Board
Committee on Student Publications	Panel for Student Grievance
Committee on University Bookstore	Review Committees
Committee on University Parking	University Hearing Board

Name \_\_\_\_\_ Department \_\_\_\_\_ Rank \_\_\_\_\_

Currently serving on the Administrative Committee on: \_\_\_\_\_

Do you wish to be re-elected to this Committee? \_\_\_\_ Yes \_\_\_\_ No

I should like to serve on an Administrative Committee according to my preferences below:

(1st Choice) \_\_\_\_\_

(2nd Choice) \_\_\_\_\_

(3rd Choice) \_\_\_\_\_

I will be available for committee work during the regular academic year \_\_\_\_ Yes \_\_\_\_ No

I will also be available for committee work during at least one of the summer sessions \_\_\_\_ Yes \_\_\_\_ No

I prefer not to serve during 1990-91 \_\_\_\_.

Thank you for your prompt consideration of this matter.